

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) AMANDA GIBSON

Plaintiff,

v.

(1) CITIZENS SECURITY BANK & TRUST
COMPANY,

Defendant.

Case No. 14-CV-770-CVE-FHM

Tulsa County District Court
Case No. CJ-2014-04134

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. § 1331, Defendant, Citizens Security Bank & Trust Company, (“CSB”) submits the following Notice of Removal and would show the Court as follows:

1. On October 30, 2014, Plaintiff, Amanda Gibson, commenced an action against Defendant, Citizens Security Bank & Trust Company, in the District Court in and for Tulsa County, Oklahoma (the “State Court Action”). That case is numbered CJ-2014-04134. The following process, pleadings, and orders have been served or filed in the State Court Action, and are attached hereto: (1) Petition, (2) Summons and (3) Affidavit and Return of Service by Certified Mail on Defendant. *See Ex. 1.*

2. Contemporaneous with the filing of this Notice of Removal, CSB is giving the Tulsa County District Court written notice of the same. *See Notice of Removal of Action to Federal Court, Ex. 2.* In addition, a copy of the docket sheet for the action pending in Tulsa County District Court is attached. *See Ex. 3.*

3. This Court has jurisdiction over the State Court Action and removal is proper pursuant to 28 U.S.C. § 1441(a). This action involves a claim of alleged unlawful discrimination based on gender and pregnancy under 42 U.S.C.A. § 2000e-2(a)(1). Under 28 U.S.C. § 1331, for civil actions arising under federal law, the Federal District Courts have original jurisdiction. Therefore, this Court has original jurisdiction over Plaintiff’s claims asserted in this lawsuit.

4. Plaintiff has also alleged supplemental state claims of wrongful termination pursuant to the common law of Oklahoma. She alleges CSB discharged her as a result of her pregnancy, in violation of the public policy of Oklahoma. Under 28 U.S.C. § 1367, District Courts have “supplemental jurisdiction over all other claims that are so related in the action within such original jurisdiction that they form part of the same case or controversy.” This Court, therefore, has supplemental jurisdiction because Plaintiff’s common law claim arises out of the same case or controversy as the original jurisdiction claim.

5. CSB was served by certified mail with the Summons and Petition in the State Court Action, on December 16, 2014. *See Ex. 3.*

6. This Notice of Removal is being filed within thirty days after CSB was served with process notifying it of the action pending in Tulsa County. Notice of Removal is being filed within one year after commencement of this action. Thus, removal of the State Court Action to this Court is timely and satisfies the requirements of 28 U.S.C. § 1446(b) and (c).

7. CSB is the only named Defendant in this case so there is no other Defendant from whom to obtain consent for this removal.

Respectfully submitted,

/s/Jo Anne Deaton

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**Attorney for Defendant,
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of December 2014, I electronically transmitted the foregoing document to the Clerk of the Court using ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Gary L. Richardson
Charles L. Richardson
Melissa A. East

/s/Jo Anne Deaton
JO ANNE DEATON, OBA #5938